



**Republic v Wanyeki (Criminal Case 15 of 2019)  
[2025] KEHC 13803 (KLR) (2 October 2025) (Sentence)**

Neutral citation: [2025] KEHC 13803 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
CRIMINAL CASE 15 OF 2019  
JM NANG'EA, J  
OCTOBER 2, 2025**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**DOUGLAS NDEGWA WANYEKI ..... ACCUSED**

**SENTENCE**

1. Douglas Ndegwa Wanyeki (“the Convict”) was on 3<sup>rd</sup> July 2025 convicted of murdering the deceased herein (Patrick Muchiri Githaiga). The court then called for pre-sentence report from the Probation Officer which has been duly filed. The parties proceeded to offer their pre-sentence submissions orally.
2. Learned Counsel for the Convict (Mr.Kirui) told the court that his client has 3 children who are dependent on him. The court is also urged to consider the fact that he has no records of previous conviction as would be confirmed by the prosecution. Reliance is placed inter alia on a Court of Appeal case only described as Alfred Ng’ang’a V. Republic inter alia in which a death sentenced was said to have been reduced to 30 years imprisonment. The court could not, however, access this decision based on the citation given. In the opinion of Counsel, a custodial sentence of between 5 and 10 years would meet the ends of justice.
3. The Republic through Mr. Wakasyaka (Prosecution Counsel) terms the offence of which the offender was convicted as very serious and that the deceased’s family wants justice. The deceased is said to have left behind young dependent children. Adding that the Convict is not remorseful having failed to reach out to the deceased’s family for reconciliation, the Prosecution advocates for a severe and deterrent custodial sentence against the Convict.
4. I have considered the Counsel submissions and also perused the Probation Officer’s Report dated 31<sup>st</sup> July 2025. It is noted that the deceased’s family through his eldest son is willing to forgive the Convict



so that he could take care of his young family. Reconciliation was not opposed, although the deceased's family told the Probation Officer that they expected the Convict and his family to initiate the process.

5. The Probation Officer further reports that the larger community from which the Convict hails support a lenient sentence because of his poor background and home circumstances.
6. For the stated reasons and/or observations the Probation Officer leaves the matter to the court's discretion.
7. I have taken all relevant factors, extenuating and aggravating, into account as guided by the principles enunciated in the famous Supreme Court case of Francis Karioko Muruatetu and the Judiciary Sentencing Guidelines, 2023. Although the Convict has no other criminal antecedents and he is willing to reconcile with the deceased's family, he caused loss of life for which he must be punished. The court, however, notes that the deceased's family appears to favour a lenient sentence.
8. The Convict is hereby sentenced to 10 (ten) years in prison. As he would be advised by his Legal Counsel, he has 14 days to appeal the conviction and sentence.

**J. M. NANG'EA**

**JUDGE.**

**DELIVERED THIS 2<sup>ND</sup> DAY OF OCTOBER, 2025 IN THE PRESENCE OF:**

Mr. Wakasyaka for the DPP

Mr. Kirui Advocate for the Accused/Convict

Court Assistant (Mr. Ng'eno)

**J.M. NANG'EA**

**JUDGE**

